

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
SEPTEMBER 11, 2007
MINUTES**

ROLL CALL	A.	The regular meeting of the Common Council was held on September 11, 2007 and called to order at 6:30 p.m. by Mayor Taylor in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Aldermen Olson, Solomon, Hammelman, Kosovich, Sohns and Skowronski (arrived at 6:45 p.m.). Also present were City Engineer Bennett, Director of Administration Luberda, Planning Manager Dietl, City Attorney Wesolowski and City Clerk Wesolowski.
CITIZEN COMMENT	B-1.	Citizen comment period was opened at 6:31 p.m. and closed at 6:46 p.m.
ANNOUNCEMENTS	B-2a.	Mayor Taylor read a proclamation in recognition of Sacred Heart School of Theology 75th Anniversary.
MINUTES- 08/21/07	C-1.	Alderman Solomon moved to approve minutes of the regular meeting of August 21, 2007 as presented. Seconded by Alderman Hammelman. All voted Aye; motion carried.
CONSENT AGENDA		Alderman Sohns moved to approve the following consent agenda items (with exception of F.1.d.):
FIRE DEPT. DONATION	F-1.a.	Authorize the Fire Department to accept a donation of \$72.49 from Roundy's Supermarkets, Inc. to be placed in the Sight for Life Fund;
RES. 2007-6327 EASEMENTS INDIAN COMMUNITY SCHOOL	F-1.b.	Adopt Resolution 2007-6327, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT PERMANENT SANITARY SEWER AND WATER MAIN EASEMENTS FOR THE INDIAN COMMUNITY SCHOOL;
RES. 2007-6328 ROAD DEDICATION S. 60TH STREET	F-1.c.	Adopt Resolution 2007-6328, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A ROAD DEDICATION FOR S. 60TH STREET FROM MILWAUKEE COUNTY;
ENGINEERING SERVICES-ST. MARTINS LIFT STATION	F-1.e.	Authorize City Engineer to enter into an agreement with Graef, Anhalt and Schloemer for professional services to design and construct wet well modifications. Subject to City Attorney review and approval; Approval of consent items seconded by Alderman Solomon. All voted Aye; motion carried.
STREET LIGHTING W. DREXEL AVE. RECONSTRUCTION	F-1.d.	Alderman Sohns moved to approve the inclusion of street lighting in the reconstruction of W. Drexel Avenue from S. 27th Street to S. 31st Street, with funding through T.I.F. No. 3 for the estimated cost of \$95,000. Seconded by Alderman Hammelman. All voted Aye; motion carried.

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| RES. 2007-6329
DEVELOPMENT
AGREEMENT THE
SHOPPES AT
WYNDHAM
VILLAGE | F-2. | Alderman Olson moved to adopt Resolution 2007-6329, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT WITH THE DEVELOPMENT OF THE SHOPPES AT WYNDHAM VILLAGE. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried. |
| W. DREXEL AVE
RECONSTRUCTION | F-3. | No action was required regarding impact fee funding without special assessments for the reconstruction of W. Drexel Avenue from W. Loomis Road to STH 100. |
| RES. 2007-6330
SPECIAL USE-
(MEC HOLDINGS I,
LLC) | F-4. | Alderman Skowronski moved to adopt Resolution No. 2007-6330, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE TO ALLOW A SINGLE-FAMILY RESIDENTIAL USE FOR PROPERTY LOCATED AT APPROXIMATELY 7810 SOUTH 100TH STREET (SOUTH LOVERS LANE ROAD [S.T.H. 100]) (MEC HOLDINGS I, LLC, APPLICANT). Seconded by Alderman Sohns. On roll call, Aldermen Skowronski, Sohns, Kosovich, Hammelman and Solomon voted Aye; Alderman Olson voted No. Motion carried. |
| RES. 2007-6331
CONSERVATION
EASEMENT-
MEC HOLDINGS I,
LLC/DANIEL AND
BARBARA RAUSCH | F-5. | Alderman Solomon moved to adopt Resolution No. 2007-6331, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF THE MEC HOLDINGS I, LLC CERTIFIED SURVEY MAP (AT APPROXIMATELY 7700 TO 7800 SOUTH LOVERS LANE ROAD)(MEC HOLDINGS I, LLC/DANIEL AND BARBARA RAUSCH, APPLICANTS), as amended by the City Attorney. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| SUBDIVISION
MONUMENT SIGN
WOODLANDS OF
FRANKLIN (LAURA
SOLOMON, APP.) | F-6. | Alderman Hammelman moved to approve landscaping to be located within the public road right-of-way associated with South Carmel Drive and West Rawson Avenue (Laura Solomon, applicant), subject to such other terms and recommendations by the Board of Public Works. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| ORD. 2007-1923
AMEND UDO
GENERAL BUSINESS
OVERLAY DISTRICT | F-7. | Alderman Skowronski moved to adopt Ordinance 2007-1923, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TO AMEND THE OL-2 GENERAL BUSINESS OVERLAY DISTRICT. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| RES. 2007-6333
SPECIAL USE-
BANK MUTUAL | F-8. | Alderman Sohns moved to adopt Resolution 2007-6333, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED AT APPROXIMATELY 5130 WEST RAWSON AVENUE (BANK MUTUAL). Seconded by Alderman Solomon. All voted Aye; motion carried. |

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| S. 27TH ST.
CORRIDOR
STREETSCAPE
CONTRACT
AMENDMENT | F-9. | Alderman Sohns moved to approve an agreement for marketing services for the S. 27th Street Corridor, subject to changes requested by the Franklin City Attorney, and subject to approval of the Memo of Understanding (Item F-10), and execution and approval of said MOU by the City of Oak Creek. Seconded by Alderman Kosovich. On roll call, all voted Aye. Motion carried. |
| RES. 2007-6336
MEMO OF
UNDERSTANDING
CITY OF OAK CREEK
S. 27TH ST
CORRIDOR | F-10. | Alderman Olson moved to adopt Resolution No. 2007-6336, A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF OAK CREEK PERTAINING TO THE PAYMENT OF THE CONTRACT PRICE OF AN AGREEMENT FOR PROFESSIONAL SERVICES FOR THE SOUTH 27TH STREET CORRIDOR PLAN AREA STREETSCAPE DESIGN TO INCLUDE BRANDING, THEME, LOGO AND PUBLIC RELATIONS ACTIVITIES AND FURTHER ADDRESSING THE FUNDING SOURCE FOR SUCH AGREEMENT subject to any changes requested by the Franklin City Attorney. Seconded by Alderman Kosovich. On roll call, all voted Aye. Motion carried. |
| SERENITY ESTATES
PARK AND OAK
LEAF TRAIL ACCESS
FUNDING | F-11. | <p>Alderman Solomon moved to authorize funding for the construction of Serenity Estates Park in the amount of \$50,000 from Parks Impact Fees, subject to confirmation by the Finance Officer. Seconded by Alderman Sohns. All voted Aye; motion carried.</p> <p>Alderman Sohns moved to authorize the funding for the construction of the Oak Leaf Trail access at S. 68th Street and W. Brunn Drive in the amount of \$10,000 from Capital Improvement Fund. Seconded by Alderman Solomon. All voted Aye; motion carried.</p> |
| RES. 2007-6334
CONTRACT AWARD
BITUMINOUS
RESURFACING
W PUETZ ROAD | F-12. | Alderman Olson moved to adopt Resolution 2007-6334, A RESOLUTION AWARDING CONTRACT TO THE LOW BIDDER FOR RESURFACING OF W. PUETZ ROAD FROM S. 76TH STREET TO EAST OF ST. MARTINS ROAD to Payne & Dolan, Inc. in the amount of \$59,670.00. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| RES. 2007-6335
SPECIAL
ASSESSMENT
WATER MAIN
INSTALLATION
W. PUETZ ROAD | F-13. | Alderman Kosovich moved to adopt Resolution 2007-6335, A PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS GRANTED BY SECTION 66.0701 OF THE STATE STATUTES FOR INSTALLING OF WATER MAIN ON W. PUETZ ROAD FROM S. 51ST STREET TO 3,180 FEET WEST, as corrected and to set the public hearing for October 1, 2007 at 6:30 p.m. Seconded by Alderman Hammelman. All voted Aye; motion carried. |

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| WATER MAIN
SERVICE
7333 S. 27TH STREET | F-14. | Alderman Hammelman moved to accept the request from the property owner at 7333 S. 27th Street to have installed one water main and pay the City through the S. 31st Street project assessment. Seconded by Alderman Kosovich. All voted Aye; motion carried. |
| AMEND/RECREATE
CHAPTER 210
SIGNS AND
BILLBOARDS | F-15. | Alderman Sohns moved to adopt Ordinance 2007-1918, AN ORDINANCE ADOPTING AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO REPEAL AND RECREATE CHAPTER 210 OF THE MUNICIPAL CODE ENTITLED "SIGNS AND BILLBOARDS" BY REFERENCE. Seconded by Alderman Olson. Alderman Olson withdrew his second. Motion failed due to lack of a second.
Alderman Olson moved to table this ordinance to the 10/01/07 Committee of the Whole meeting. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| RES. 2007-6332
RELEASE ACCESS
TO S. 60TH STREET | F-16. | Alderman Sohns moved to adopt Resolution No. 2007-6332, A RESOLUTION TO RELEASE THE ACCESS TO SOUTH 60TH STREET RESTRICTION NOTED IN THE FINAL PLAT FOR FRANKLIN INDUSTRIAL PARK ADDITION NO. 1, subject to the Planning Department verifying no further restrictions and placing a letter in the file; further, if there are additional restrictions, this resolution should come back to the Common Council. Seconded by Alderman Kosovich. All voted Aye; motion carried. |
| LETTER TO MILW CO
W. RAWSON
AVENUE AT S. 51ST
STREET | F-17. | Alderman Sohns moved to authorize City Engineer to send letter of Commitment to Milwaukee County for future improvement of W. Rawson Avenue at S. 51st Street contingent on acceptance from the City Attorney. Seconded by Alderman Hammelman. All voted Aye; motion carried. |
| DISPOSITION OF
CITY OWNED
PROPERTY
8921 W. DREXEL
7909 S 51ST STREET | F-18. | Alderman Sohns moved to authorize staff to prepare and advertise a revised "Request for Offer to Purchase" for City Owned Property at 8921 W. Drexel Avenue and 7909 S. 51st Street and bring said results back to the Common Council for further consideration and direction. Seconded by Alderman Olson. All voted Aye; motion carried. |
| COMMUNITY
BUSINESS DISTRICT
DEVELOPMENT
STANDARDS
MAX. BLDG. HEIGHT | F-19a. | Alderman Solomon moved to direct the Plan Commission to review and hold a public hearing regarding the Unified Development District Table 15-3.0303 B-3 Community Business District Development Standards "Maximum Building Height" from 2.0 and 3.0 to 5.0/65' with exposed basement. Seconded by Alderman Sohns. All voted Aye; motion carried. |

FUNDING I-94
INTERCHANGE AT
W. DREXEL AVENUE

F-19b.

Alderman Olson moved to direct the 27th Street Steering Committee, the Franklin Community Development Authority and staff to assemble a report that outlines any potential benefit for an interchange at I-94 W. Drexel Avenue. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried.

LICENSES AND
PERMITS

H-1.

Alderman Hammelman moved to grant the following licenses subject to meeting all licensing requirements:

Extraordinary Entertainment & Amusement Event License to Shee Yee Community of Milwaukee, Person in Charge: Lang Xiong, Location: Milwaukee County Sports Complex – 6000 W. Ryan Road, Date of Event: September 29 and 30, 2007 with a total of four security officers;

Class B Combination Reserve License to Gus' Mexican Cantina, LLC, Agent: Gus Abolghasem Hosseini, 6514 S. Lovers Lane Road subject to inspection compliance and no refund of the \$10,000 reserve license fee;

Operator License to Theresa L. Cooper, 3940 W. Wanda Avenue, Greenfield; Tasha M. Dawson, 8515 W. Beacon Hill Drive; Michael P. Sadowski, 7118 S. Tifton Drive;

Temporary Class B Beer & Wine License to St. Martin of Tours School-Casino Night Fundraiser, Person in Charge: Diane Winkowski, 7963 S. 116th Street, correction of date from October 7, 2006 to September 29, 2007;

Temporary Entertainment & Amusement License to St. Martin of Tours School-Casino Night Fundraiser, Person in Charge: Diane Winkowski 7963 S. 116th Street, correction of date from October 7, 2006 to September 29, 2007;

Fee Waiver for Food, Soda, Temporary Class B Beer & Wine, and Temporary Entertainment & Amusement for September 29, 2007, St. Martin of Tours School-Casino Night Fundraiser, Person in Charge: Diane Winkowski, 7963 S. 116th Street;

and also moved to hold Operator License for Fidel Morales-Macedo, 1817 S. Seventh Street, Milwaukee; Carey O'Connell, 1213 Adams Street, West Bend; Andrea M. Rivera, 6604 Parkedge Circle; Susan M. Syvock, 1912 N. 119th Street, Wauwatosa; Donald E. Wick, 3205 W. Central Avenue and Rodney L. Thomas, 6344 S. 35th Street, all subject to appearing before the License Committee.

No action was necessary regarding On the Border review of police report. Seconded by Alderman Solomon. All voted Aye; motion carried.

**VOUCHERS AND
PAYROLL**

I-1. Alderman Kosovich moved to approve net City vouchers in the range of Nos. 121931 through 122146 in the amount of \$2,709,451.10. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

Alderman Kosovich moved to approve the net City payroll of August 31, 2007 in the amount of \$329,499.24. Seconded by Alderman Hammelman. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J. Alderman Hammelman moved to adjourn the meeting at 10:40 p.m. Seconded by Alderman Sohns. All voted Aye; motion carried.